

The 26th November/6th December, 1976

No. 6185-4Lab-76/33151.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the Management of M/s. Excelsior Plants Corporation Limited, opposite M. Block, Sector 2, Pali Road, N.I.T., Faridabad.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 140 of 1975

between

SHRI MEVA RAM SHARMA, WORKMAN AND THE MANAGEMENT OF M/S EXCELSIOR  
PLANTS CORPORATION LIMITED, OPPOSITE M. BLOCK, SECTOR 2, PALI ROAD,  
N. I. T., FARIDABAD

AWARD

By order No. ID/FD/59384, dated 11th September, 1975 of the Governor of Haryana, the following dispute between the management of M/s. Excelsior Plants Corporation Limited, N.I.T., Faridabad and its workman Shri Meva Ram Sharma, was referred to this Tribunal for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947;—

“Whether the termination of services Shri Meva Ram Sharma was justified and in order ? If not, to what relief is he entitled ?”

The parties put in their appearance in this Tribunal in response to the usual notices of reference sent to them.

Whereas the workman alleged, - *vide* claim statement filed by him that his services had been terminated by the management on 25th March, 1975 by way of their refusal to assign him any work, without assigning any reason, the management pleaded that his services were terminated by them with effect from 10th March, 1975 on their finding his work unsatisfactory during his probationary period.

It was admitted by the parties that the workman was drawing Rs. 300/- per mensem as his wages on the date of termination of his services.

The following issue was thus framed *vide* order dated 20th April, 1976 :—

Whether the termination of services of Shri Meva Ram Sharma was justified and in order ? If not, to what relief is he entitled ?

Whereas Shri Ram Murti Sharma put in his appearance before me on 11th June, 1976, the fixed date of hearing, the management absented themselves on that date despite being directed to appear and adduce their evidence on the issue framed with the result that *ex parte* proceedings were taken up against them on that date. The burden of the issue framed on pleas of the parties, having thus remained un-discharged, the same is decided against the management with the result that the termination of services of the workman is obviously unjustified and he is entitled to be reinstated with effect from 25th March, 1975 with continuity of service and full back wages.

I hold accordingly and answer the reference while returning the award in terms of the findings made by me.

MOHAN LAL JAIN,

Dated the 17th June, 1976.

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 704, dated 19th June, 1976

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 19th June, 1976.

MOHAN LAL JAIN,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.